

CHAPTER NO. 103

HOUSE BILL NO. 49

By Representative Sargent

Substituted for: Senate Bill No. 111

By Senator Bryson

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 4, relative to subsurface sewage disposal systems.

WHEREAS, many counties have contracted with the Tennessee Department of Environment and Conservation to regulate subsurface sewage disposal systems; and

WHEREAS, such counties are responsible for the health, safety and welfare of their citizens; and

WHEREAS, proper evaluation of an existing subsurface sewage disposal system is imperative to its proper operation before permit may be issued expanding the use of such system; and

WHEREAS, Tennessee Code Annotated § 68-221-418 in its present form prohibits those contracting counties from performing proper inspections prior to issuing expansion or repair permits for subsurface sewage disposal systems thus endangering the health, safety and welfare of their citizens; and

WHEREAS, Tennessee Code Annotated § 68-221-418 in its present form causes such contracting counties to breach their contractual obligation to the Tennessee Department of Environment and Conservation; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-418, is amended by adding the following language as new subsection (c):

(c) Any county which enters into an agreement with the commissioner of the department of environment and conservation pursuant to § 68-221-403, upon the majority vote of such county's governing body and written notification of such vote to the department, shall be exempt from the provisions of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 18, 2005


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 4th day of May 2005


PHIL BREDESEN, GOVERNOR